## Minutes

## Catawba County Board of Commissioners Regular Session, Monday, July 8, 2002, 7:00 p.m.

Agreements Balls Creek Elementary School and Surrounding Area Wastewater Project Contract	380	07/08/02
Appointments Revised Voting Delegate and Alternate for July 2002 NACo Conference Voting Delegate and Alternate for NC Association of County Commissioners	375	07/08/02
95th Annual Conference EMS Advisory Council, Region E Maiden Board of Adjustment Nursing & Rest Home Community Advisory Committee	375 375 375 375	07/08/02 07/08/02 07/08/02 07/08/02
Codification of County Laws	010	01700/02
Amendments To Chapter 515: Zoning Ordinance, Section 515.239 Lake Norman Surface Water District (Special District-1) Personnel Code and Annual Increments Economic Development Corporation Bylaws Revision	372 378 379	07/08/02 07/08/02 07/08/02
Economic Development Corporation  Bylaws Revision (code amendment)	379	07/08/02
Guests Candidates Lynn Lail, Gerald Kamp, and Gary Teague Hickory Public Schools Superintendent Duane Kirkman Hickory Public School Board of Education Members Sarah Talbert	371 371	07/08/02 07/08/02
and Joab Cotton Catawba County School Board of Education Chair Betty Blackburn	371	07/08/02
and Sherry Butler  Mr. Corky Upchurch and Mr. Dean Proctor  Jacky Eubanks, Planning and Development Director, who was		07/08/02 07/08/02
appointed July 1, 2002	371	07/08/02
<u>Landfill</u> Special Use Permit Requirements for Wood Waste Grinding Operations Landfill Site Alternatives Study	381 384	07/08/02 07/08/02
Newton, City of Balls Creek Elementary School and Surrounding Area Wastewater Project Contract	380	07/08/02
Ordinances  No. 2002-04 Amendments To Chapter 515: Zoning Ordinance, Section 515.239 Lake Norman Surface Water District (Special District-1)  No. 2002-05 Personnel Code and Annual Increments  No. 2002-06 Economic Development Corporation Bylaws Revision	378 379 378	07/08/02 07/08/02 07/08/02
Personnel Personnel Code and Annual Increments	378	07/08/02
Planning and Development Road Renaming for a portion of Hardwood Circle in Newton Township Road renaming for a portion of Saunders Driver in Catawba Township Amendments To Chapter 515: Zoning Ordinance, Section 515.239 Lake	371 372	07/08/02 07/08/02
Norman Surface Water District (Special District-1)  Special Use Permit Requirements for Wood Waste Grinding Operations  Landfill Site Alternatives Study	372 381 384	07/08/02 07/08/02 07/08/02

Public Hearings		
Road Renaming for a portion of Hardwood Circle in Newton Township	371	07/08/02
Road renaming for a portion of Saunders Driver in Catawba Township	372	07/08/02
Amendments To Chapter 515: Zoning Ordinance, Section 515.239 Lake	0	0.700,02
Norman Surface Water District (Special District-1)	372	07/08/02
Article 44 Sales Tax Resolution, one-half cent Local Government Sales	012	01/00/02
and Use Tax	375	07/08/02
Community Development Block Grant (CDBG) application	376	07/08/02
Community Development block Grant (CDBG) application	370	01/00/02
Resolutions		
No. 2002-16 Article 44 Sales Tax Resolution, one-half cent Local		
Government Sales and Use Tax	375	07/08/02
Government Sales and Ose Tax	3/3	01/00/02
Schools		
Comments by Corky Upchurch and Dean Proctor	377	07/08/02
Balls Creek Elementary School and Surrounding Area Wastewater	311	01/00/02
Project Contract	380	07/08/02
Floject Contract	360	01/06/02
Taxes		
Article 44 Sales Tax Resolution, one-half cent Local Government Sales		
and Use Tax	374	07/08/02
and USE Tax	3/4	01/00/02
Utilities and Engineering		
Balls Creek Elementary School and Surrounding Area Wastewater		
Project Contract	380	07/08/02
•		07/08/02
Special Use Permit Requirements for Wood Waste Grinding Operations	381 384	07/08/02
Landfill Site Alternatives Study	304	07/06/02
WPCOG		
Community Development Block Grant (CDBG) application	376	07/08/02
Community Development block Grant (CDBG) application	310	01/06/02

The Catawba County Board of Commissioners met in regular session on Monday, July 8, 2002, 7:00 p.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chairman W. Steve Ikerd, Vice-Chair Marie H. Huffman, and Commissioners Katherine W. Barnes, Barbara G. Beatty and Dan A. Hunsucker.

Absent: None.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, County Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

- 1. Chairman lkerd called the meeting to order at 7:00 p.m.
- 2. Invocation was offered by Chairman Ikerd.
- 3. Commissioner Huffman made a motion to approve the May 30, 2002, Special Meeting Closed Session Minutes; June 17 2002, Special and Regular Sessions Minutes; and June 25, 2002, Special Session Minutes. The motion carried unanimously.
- 4. Special Guests:

Chairman Ikerd welcomed Candidates Lynn Lail, Gerald Kamp, and Gary Teague; Hickory Public Schools Superintendent Duane Kirkman and Hickory Public School Board of Education Members Sarah Talbert and Joab Cotton; and Catawba County School Board of Education Chair Betty Blackburn and School Board Member Sherry Butler. He also welcomed Mr. Corky Upchurch and Mr. Dean Proctor.

Chairman Ikerd introduced Jacky Eubanks, Planning and Development Director, who was appointed July 1, 2002.

- 5. Public Hearings:
  - a. Proposed road renaming for a portion of Hardwood Circle in Newton Township.

Ms. Connie P. Killian, Planning Technician, said several months ago a portion of Hardwood Circle that connected to Fairway Drive was closed by the property owners along that street. When Fairway Farms Subdivision, Section 1, was developed in 1997 the developer proposed to continue the name of Hardwood Circle from Fairway Acres to Fairway Farms making it a continuous street. The closing breaks the connection to Hardwood Circle across Fairway Drive it has become necessary to rename the portion of Hardwood Circle in Fairway Farms. Emergency Service Director Charles Moody recommended this street be renamed for emergency purposes. All property owners were advised that E-911 staff was proposing to extend the name of Willow Creek Drive. There are 41 lots that the road name change affects. Property owners requested that the house numbers be maintained.

The Planning Board at its June 24, 2002, meeting unanimously recommended to the Board of Commissioners the changing of a portion of Hardwood Circle to Willow Creek Drive, and also recommended that the house numbers be retained.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Mr. David Yoder, 1431 Hardwood Circle, spoke in favor of the road renaming if the road remains closed.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Barnes made a motion to adopt the recommendation of the planning board changing the road name to Willow Creek Drive, maintaining house numbers. The motion carried unanimously.

b. Proposed road renaming for a portion of Saunders Driver in Catawba Township.

Ms. Connie P. Killian, Planning Technician said several months ago a portion of Saunders Drive was closed by the property owners along this street. The section that was closed is located immediately south of the airstrip located in Long Island Airport Subdivision and intersects with Clipper Court. Emergency Service Director Charles Moody recommended this street be renamed for emergency purposes. All property owners were advised of the renaming. After talking with County 911 Communications Center personnel, fire (Sherrills Ford) and rescue squad (Catawba) personnel that serves this area, E-911 staff has decided to rename a portion of this street. Staff is recommending that a portion of Saunders Drive located north of the airstrip be called North Saunders Drive. The southern portion of Saunders Drive would remain the same. With a directional sign added to the north side, it would show that this street has been divided, as well as, require less changing of addresses for those who live on this street currently. There will be two property owners affected by the road name change.

Ms. Killian said during the public hearing before the Planning Board, Mr. Gordon King, 1188 Cartwright Drive spoke to the Board saying that he was opposed to this street name change because of a possible impending lawsuit concerning the improper closing of a portion of Saunders Drive. He was informed by Staff Attorney Debra Bechtel that an impending lawsuit did not enter into this request. Ms. Killian said that the E-911 staff recommended renaming the street for safety purposes to make sure that emergency vehicles would be able to respond to someone in the area in case of an emergency. Mr. King informed the Planning Board that the street signs were not up in this subdivision. E-911 staff responded that they did not know that these signs were not up, because on their last site visit the streets had not been finished and normally signs are not installed until all the streets have been totally completed. E-911 staff stated that Mr. Reynolds during the subdivision planning process had informed Planning staff that he wanted to do his own signs and maintain them. He was informed that the street names had to be cleared through the E-911 staff, which he did. E-911 staff informed the Planning Board that another site visit would be made by staff, and if signs were not up, a letter would be sent to Mr. Reynolds giving him 30 days to install the signs in the subdivision or the County would install them and send him a bill to cover the cost of the signs plus installation. Ms. Killian said a letter was mailed on June 28, 2002, and it gave Mr. Reynolds until July 30<sup>th</sup> to have his street signs installed.

The Planning Board voted 7-1 to recommend the Board of Commissioners approve the renaming of a portion of Saunders Drive north of the Long Island Airstrip to North Saunders Drive.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

After a brief discussion, Commissioner Huffman made a motion to approve the renaming of a portion of Saunders Drive north of the Long Island Airstrip to North Saunders Drive. The motion carried unanimously.

c. Proposed Amendments To Chapter 515: Zoning Ordinance, Section 515.239 Lake Norman Surface Water District (Special District-1).

Ms. Donna C. Jones, Zoning Administrator said planning staff presented information on proposed amendments to the Zoning and Subdivision Ordinances at the Planning Board's January 2001 meeting. At that time, staff set up a time frame to prepare amendments and bring before the Planning Board and County Commissioners.

One of the issues presented was the regulation of piers. Catawba County adopted pier regulations for the Lake Norman Surface Water District as part of the original zoning ordinance in July 1974. Problems have arisen over the past years concerning proposed pier lengths and the projected lot line requirement. When a lot has more road frontage than lake frontage, it creates a projected lot line that intercepts itself quickly. Any point of the pier must be located 10 feet inside the projected lot line. This rule leaves the lot with no or very little area to construct a pier. Recently the Board of Commissioners amended the ordinance to allow piers up to 120 feet in length to coincide with Duke Power regulations. Due to the peculiar shape of a lot, there are properties within Catawba County that cannot meet this requirement and are unable to construct a pier without obtaining a variance from

adjacent property owners, Lake Norman Marine Commission and the Catawba County Board of Adjustment.

When the Zoning Ordinance was adopted in 1974 it contained regulations solely for the Lake Norman section of the lake. Any changes should include Lake Hickory and Lake Lookout.

She reviewed the following three options to try and alleviate this situation:

1. Remove all requirements for piers from the Zoning Ordinance.

By removing all requirements for zoning it would delegate all responsibility for piers to Duke Power Lake Management Group and Lake Norman Marine Commission. Staff has met with representatives from Duke Power Lake Management Group and they do not feel this would be in the best interest of property owners in Catawba County or Duke Power. They believe it is important that the County play a role in the process of pier permits. Duke requires a building permit before they will issue an authorization to construct a pier. If Catawba County is using the same set of guidelines (pier length and maximum area of cove covered), Duke Power believes there will be less chance of the applicant getting a permit for a pier that cannot be authorized by the Duke Power Lake Management Group.

Loss of Revenue – In 2001 Catawba County issued 162 pier permits at \$25 each for a total revenue of \$4,050.

- 2. Leave Section 515.239 Lake Norman Surface Water District as is except to modify section to include Lake Hickory and Lake Lookout.
- 3. Amend Section (C) and delete subsection (1)(c) which reads "The pier shall extend into the water so as to remain confined within a projection of the side lot lines of the lot on which the pier is located, maintaining the side yard requirements of this or any other ordinance, and shall conform to all applicable local and Lake Norman Marine Commission regulations concerning construction." By removing this section of the pier requirements it would enable Duke Power to regulate the placement of the pier. Currently Duke Power meets with the applicant to review the site and go over the guidelines for constructing a pier on the lake. The applicant is then told to check with Catawba County regarding further regulations. Duke Power's criteria for issuing a pier permit involves the square footage of the pier, whether boats are able to navigate between the piers, whether it is in a cove or not, and a maximum length of no more than 120 feet. By amending our ordinance and deleting this subsection, we would still issue zoning compliance permits for piers, look at the length of the pier and whether or not it is in a cove, but not dictate the placement of the pier on the water. Duke Power stated they did not have a problem with Catawba County dropping its regulations regarding the placement of piers.

At the joint meeting between the Catawba County Board of Commissioners and the Planning Board held on June 17, 2002, the pros and cons of revising or deleting pier requirements from the Catawba County Zoning Ordinance were discussed. At that meeting the Board of Commissioners called for a public hearing to consider amendments to Section 515.239 Lake Norman Surface Water District (Special District-1).

The Planning Board voted 6-2 to recommend approval of Option 3 to the Board of Commissioners.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Beatty made a motion to approve the aforementioned Option 3 to Amend Section 515.239 of the Catawba County Code.

Voting aye: Ikerd, Barnes, Beatty, and Hunsucker

Voting nay: Huffman

Chairman Ikerd said the motion carried 4 to 1 to approve the following amendments to the zoning ordinance:

# ORDINANCE NO. 2002-04 515.239 LAKE NORMAN SURFACE WATER DISTRICT (SPECIAL DISTRICT-1).

BE IT ORDAINED by the Board of Commissioners of Catawba County:

- (A) Statement of intent. Lake Norman is the largest of the manmade reservoirs in the Catawba River system, which flows through the North Carolina Piedmont into South Carolina. The lake, constructed in 1962 to provide water, electric power and recreation for the region, has a surface area of 32,510 acres. Portions of Lake Norman extend into the southeastern **portion** of the county, where large tracts of land adjoining the lake have been committed to development. Duke Power Company owns extensive acreage to serve its power plant located on the shores of the lake. The recreational and scenic opportunities around the lake have been recognized by developers and numerous residential and second home communities have been created along the lake shore. It is the intent of this chapter to protect the Lake Norman Surface Water District for the enhancement of recreation, water safety, and scenic beauty on and around Lake Norman.
  - (B) Special District-1 boundaries.
- (1) These regulations shall apply to the surface waters of lake Norman lying below the contour elevation 760 feet above mean sea level U.S.G.S. datum; and to land located within 1,000 feet of the shoreline on said lake when measured from full pond level; contour elevation 760 feet above mean sea level U.S.G.S. datum.
- (2) Any structures or manmade improvements which are to be placed on, above, within, or adjacent to the waters of Lake Norman which by their placement affect the use of waters, including but not limited to piers, floating pier extensions, floating boat houses, moorings or floats, marine railways, hoists and lifts, breakwaters, fillings, dredging, signs, lighting, and overhead transmission lines, public and private swimming areas and private bridges, shall be subject to the provisions of these regulations.
- (3) All dimensional requirements herein, when reference is made to the water surface, shall be measured from the full pond level, elevation 760 feet above mean sea level U.S.G.S. datum.
  - (C) Special District-1 regulations.
    - (1) Piers and docks.
- (a) Piers may extend over the water a maximum distance of one -hundred-twenty (120) feet from the shore. (7-10-2000)
- (b) In no event shall a pier, when located in a cove, extend more than 1/3 the width of the cove measured from the shore at the point of the proposed construction to the nearest point on the opposite shore.
- (c) The pier shall extend into the water so as to remain confined within a projection of the side lot lines of the lot on which the pier is located, maintaining the side yard requirements of this or any other ordinance, and shall conform to all applicable local and Lake Norman Marine Commission regulations concerning construction.
- (d)(c) Piers shall have two white reflectors, a minimum of six inches above the 760-foot contour, on each farthermost corner of the pier in the water, reflecting light parallel to the shore in each direction, and also directly across the water.
- (e)(d) White reflectors shall also be placed at intervals of not more than 15 feet six inches above the water, on each side of the pier beginning at its outermost extension into Lake Norman, extending to the 760-foot contour on the shore.

This 8th day of July, 2002.

/s/ W. Steve Ikerd, Chairman Catawba County Board of Commissioners

d. Article 44 Sales Tax Resolution.

County Manager J. Thomas Lundy said this public hearing was for consideration of a resolution authorizing the Article 44 sales tax for adoption following the required public hearing. Last year the General Assembly increased the state sales tax by ½ cent to 4-1/2% as part of the package to balance the state budget. This new state sales tax is temporary and it will sunset on June 30, 2003.

The state's budget balancing package also included a provision that discontinues the state reimbursements to local governments in the 2003-04 fiscal year. To replace these revenues, the state has authorized counties to enact an additional ½ cent local option sales tax, in effect allowing counties to continue the ½ cent state sales tax. This new authority is provided in Article 44 of Chapter 105 of the General Statues.

Counties may enact the new sales tax at any time by resolution of the board of county commissioners. However, the new local tax cannot become effective before July 1, 2003, unless the General Assembly decides otherwise.

The new local option tax will be distributed as follows:

50% based on point of origin 50% based on population (per capita)

The new tax is intended to replace the reimbursements for inventory taxes, the intangible tax, the elderly homestead exemption, and the sales tax on food stamp transactions. The law includes a "hold harmless" provision that assures each county will receive at least the same amount that was received from the reimbursements if the Article 44 sales tax does not generate sufficient revenue to offset the loss of the reimbursements. The annual "hold harmless" payment remains in place until a county receives more from the Article 44 sales tax than was received from the old reimbursements.

While the Article 44 sales tax may not be the perfect solution, it is believed that local governments will be better off in the long term by trading the reimbursements for a locally controlled source of revenue that will grow over time. As we know from recent experience, the reimbursements are vulnerable when the state encounters budgetary problems.

The County has received outstanding support from the municipalities, school systems and the community college in this effort. Resolutions reflecting each entity's desire to see the sales tax enacted have been received from Hickory, Claremont, Catawba, Conover, Newton, Maiden, Long View, and the Hickory and Catawba County School Systems, as well as the Catawba Valley Community College Board of Trustees.

Chairman Ikerd said approximately four years ago the Board of Commissioners worked diligently with every organization in Catawba County and had almost a unanimous endorsement to try for a 1-cent sales tax increase instead of a property tax increase and the General Assembly and representatives did not see fit to allow a 1-cent increase. He said a 1/2-cent sales tax would only bring the county back to a revenue level that the county has had in the past. A 1/2-cent tax rate would equal a 4-cent increase on the tax rate.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

After a brief discussion, Commissioner Barnes made a motion to adopt the following resolution for the one-half cent sales tax for local government sales and use tax. The motion carried unanimously.

The County of Catawba
The State of North Carolina

Resolution No. 2002-16 *July 8, 2002* 

Resolution Levying The Third One-Half Cent (1/2¢) Local Government Sales And Use Tax And Prescribing

## The Method Of Distribution Of The Proceeds Within Catawba County

WHEREAS, The General Assembly has by enacting N.C.G.S. 105-517(b) in Section 34.14(a) of Session Law 2001-424 authorized the Catawba County Board of Commissioners to levy a one-half percent (1/2%) local sales and use tax; and,

WHEREAS, the Catawba County Board of Commissioners held a public hearing on the issue of adopting this resolution on July 8, 2002, as required by N.C.G.S. 105-517(b) and proper public notice of the Board's intent to consider this resolution was provided as required by N.C.G.S. 105-517(b); and,

WHEREAS, The General Assembly levied a one half percent (1/2%) state sales tax effective October 16, 2001 by enacting Section 34.14(a) of Session Law 2001-424, and this tax expires July 1, 2003, the same day the sales and use tax levied hereby becomes effective, and as a result the Board's action herein will not result in an increased sales and use tax for the consumer; and,

WHEREAS, as of July 1, 2003, Catawba County will lose \$4,500,000 in funds made available by the State of North Carolina to replace revenue lost because of legislative action: (1) to repeal sales taxes imposed on purchases made with Food Stamps; (2) to repeal property taxes imposed on inventories held by manufacturers, retailers and wholesalers; (3) to repeal taxes on intangible personal property; and, (4) to reduce taxes levied on residential property owned by low-income elderly taxpayers; and

WHEREAS, the Catawba County Board of Commissioners hereby finds that, particularly in light of the circumstances cited herein, the levy of The Third One-Half Cent (1/2c) Local Government Sales and Use Tax is necessary to adequately finance the operations of the county and the cities and towns herein.

NOW, THEREFORE, BE IT RESOLVED by the Catawba County Board of Commissioners:

- 1. There is hereby imposed and levied within Catawba County The Third one-half cent  $(1/2\phi)$  Local Government Sales and Use Tax authorized by Section 34.14(a) of Session Law 2001-424 and codified as Article 44 of Chapter 105 of the General Statutes of North Carolina. The tax hereby imposed and levied shall apply to the same extent and be subject to the same limitations as are set forth in said Session Law 2001-424.
- 2. Collection of the tax by the North Carolina Secretary of Revenue, and liability therefore, shall begin and continue on and after the first day of July 2003.
- 3. The net proceeds of the tax levied herein shall be distributed by the Secretary of Revenue on a quarterly basis to Catawba County as prescribed by N.C.G.S. 105-520. The amount distributed to Catawba County shall be divided among the county and the municipalities herein in accordance with the method by which the one percent (1%) sales and use taxes levied in Catawba County pursuant to Article 39 of General Statutes Chapter 105 are distributed.
- 4. This Resolution is effective upon its adoption, and a certified copy hereof shall be forwarded to the North Carolina Secretary of Revenue.

Adopted this 8<sup>th</sup> day of July, 2002.

/s/ W. Steve Ikerd, Chairman Catawba County Board of Commissioners

e. Community Development Block Grant (CDBG) application. (Copy of application on file in the Office of the Director of Community Development, Western Piedmont Council of Governments.)

Ms. Sherry Long, Director of Community Development, Western Piedmont Council of Governments said the Western Piedmont Council of Governments (WPCOG) requests that a second public hearing be held for a Community Development Block Grant (CDBG) application in the amount of \$80,000. The first public hearing was held February 4, 2002.

This \$80,000 CDBG application has been developed to assist Alexander, Avery, Burke, Catawba, Caldwell, Iredell, Lincoln, McDowell, Mitchell, Rutherford, Watauga, and Wilkes Counties in meeting the match requirements for the Economic Development Administration's (EDA) Comprehensive Economic Development Strategy (CEDS) application. Strategies developed through this process will provide new direction for the economy of our County as well as renewed opportunities for our unemployed and underemployed workers.

The NC Department of Commerce, Division of Community Assistance, is making these funds available for the match but will only accept one application on behalf of all 12 counties. The application requests \$80,000 to be awarded to Catawba County on behalf of all of the counties. Catawba County in turn will provide these funds to the WPCOG who will contract with the CEDS consultant. WPCOC will act as the County's representative in administering the CEDS process.

They will have to contract with a national organization which they will have to issue a request for proposal (RFP).

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Barnes made a motion to approve the CDBG grant application in the amount of \$80,000. The motion carried unanimously.

## 6. Special guests not listed on agenda:

Chairman Ikerd asked Mr. Dean Proctor and Mr. Corky Upchurch if they wished to speak about school facilities.

Mr. Dean Proctor said he co chairs a committee with Ann Gaither, Phil Null, and Charles Snipes on school funding issues. He said due to timing and lack of understanding, their recommendation was to delay any referendum until the early part of next year.

Commissioner Barnes said she hopes the board will charge Mr. Proctor and his group to go forward with educating the public on school needs as there are many misconceptions. She said it was good that the group looked at the needs of all the school systems. She said the test is to figure out how to fund and to look at some of the changing structures in finance. She said the economy has changed. She hopes that the educational process can begin, build on that momentum and make good decisions for early next year.

Commissioner Huffman said everyone wanted to go forward with the bond issue. She said the group wisely feels the climate of the economic times in the county is not right at this time. She thanked the committee for the time they spent working on the report and critiquing the needs.

Chairman Ikerd said bonds would be the best way to finance schools. A property tax increase was the other option.

Mr. Proctor said if we are going to attract new industry and new jobs we have got to have quality schools.

Mr. Corky Upchurch, Co-Chair of the Citizens Advisory Committee for School Facilities said the present economy is not the best time to bring a bond referendum. He thinks there is a considerable amount of momentum being built around education and he said it is important to develop a plan quickly to take advantage of the momentum. He said it is important that it be decided how and when and then start the educational process.

Commissioner Beatty thanked Mr. Upchurch and his committee. She said our future is our education and we have to continue to support education.

Commissioner Barnes said it has been requested that the school boards put together their eight year plans. She said they were looking at a four to six year plan previously.

## 7. Appointments.

#### Voting Delegate and Alternate for July 2002 NACo Conference

Chairman Ikerd was appointed Delegate and Commissioner Huffman was appointed alternate at the June 17, 2002, Board meeting. Chairman Ikerd had a conflict and could not attend the conference; therefore, Chairman Ikerd recommended Vice Chair Huffman as delegate and Commissioner Beatty as alternate.

# Voting Delegate and Alternate for NC Association of County Commissioners 95th Annual Conference, August 22-25, 2002.

Commissioner Huffman recommended Commissioner Barnes as Delegate and Commissioner Hunsucker as Alternate.

## EMS Advisory Council, Region E

Commissioner Beatty reappointed Charles E. Moody, Jr. for a sixth term and Alan Pope for a second term. The 2-year terms will expire June 30, 2004.

### Maiden Board of Adjustment

Commissioner Beatty reappointed John Biggerstaff for a fourth, 3-year term, which will expire June 30, 2005.

## **Nursing & Rest Home Community Advisory Committee**

Commissioner Hunsucker reappointed Anne S. Hall, Industry Representative, and Tamara "Tami" Hefner and Mary H. Larson as Commission Representatives for third, 3-year terms. The terms will expire July 6, 2005. He reappointed Betty McGee, Commission Representative, for a second, 3-year term, which will expire November 19, 2005.

He reappointed Marianna Raugh, Commission Representative, for a fourth, 3-year term, which will expire December 20, 2005.

He appointed Grace McLeod, Commission Representative, to replace Gail McRee who resigned for a first, 1-year term will begin July 9, 2002, and will expire July 8, 2003.

Commissioner Beatty made a motion to approve the aforementioned appointments. The motion carried unanimously.

## 8. Consent agenda:

County Manager J. Thomas Lundy presented the following consent agenda items:

Personnel Code and Annual Increments.

Mr. Lundy said the Personnel Code Section 270.066 -- Salary Adjustments in subsection B - Annual Increments -- contains language that states "An annual increment is awarded when an employee in permanent status receives a performance rating of meets expectations or exceeds expectations and when the completed performance evaluation has been received by the Personnel Director." There is also a definition of annual increment.

The approved budget for July 1, 2002, does not fund an annual increment for a "meets expectations" rating. Funding is for an "exceeds" rating only.

The Policy and Goals Subcommittee recommended that the Board of Commissioners approve modifications to the Code in order to be consistent with the budget and practice with the new fiscal year. The language proposed should be applicable in future years as well.

Following is the recommendation:

## **ORDINANCE NO. 2002-05**

## GENERAL PROVISIONS 270.001 DEFINITIONS.

BE IT ORDAINED by the Board of Commissioners of Catawba County:

**ANNUAL INCREMENT.** A salary increase as determined by the applicable salary plan and the annual budget.

#### § 270.066 SALARY ADJUSTMENTS.

The Personnel Director shall be responsible for implementing all salary adjustments. Employees shall be advised of all salary changes. Salary adjustments may occur as a result of the following:

(B) Annual increment. An annual increment may be funded in the annual budget, and is if awarded, will be based on the annual performance review. This section also applies to employees of the Sheriff and Register of Deeds departments. When an employee in permanent status receives a performance rating of meets expectations or exceeds expectations and when the completed performance evaluation has been received by the Personnel Director. Annual increments are awarded to employees of the Sheriff and the Register of Deeds on an annual basis when a salaried employee in those departments receives a performance rating of meets expectations or exceeds expectations and when the completed performance evaluation has been received by the Personnel Director. Annual increments are effective on the first day of the month following the anniversary date. All documentation must be received before the payroll deadline date of the month in which the annual increment is due. When an employee's annual salary is at or near the maximum of the pay grade, the employee shall receive the portion of the annual increment that exceeds the maximum pay of the pay grade as a one time lump sum payment.

Adopted this 8<sup>th</sup> day of July, 2002.

/s/ W. Steve Ikerd, Chairman Catawba County Board of Commissioners

b. Recycling Credit Recommendation.

Mr. Lundy said the Board requested that staff reestablish a recycling credit at County Convenience Centers. To best re-implement recycling credits at Solid Waste Convenience Centers, staff recommended employing a bag for bag diversion credit and set the waste disposal fee at \$1.00 per bag. There are several options the Board can elect to offer a recycling credit employing the staff's recommendation.

- 1. Place bag for bag reduction in place as before; however, this system can and has been abused by employing dissimilar bags.
- 2. Create bag for bag reductions with recyclable bag size defined at 32 gallons. (In both cases, bags should be required to be full with recyclable materials that are reasonably compressed)
  - a. County can furnish clear bags at cost; current estimated cost is 15 cents per bag.
  - b. Require clear bags furnished by customer.

The Public Works Subcommittee recommended that the Board of Commissioners approve the fee for solid waste collected at the County's Convenience Centers to be revised to reflect a charge of \$1.00 per bag of waste, and a recyclable credit be re-enacted in the form of bag for bag credit. For each 32-gallon bag of condensed approved recyclable material a client can dispose of one bag of waste free of charge. Staff recommended all other Solid Waste disposal fees at the County's Convenience Centers remain unchanged.

Commissioner Huffman made a motion to approve the consent agenda. The motion carried unanimously.

### **End Consent Agenda**

- 9. Departmental Reports:
  - a. Economic Development Corporation:
    - 1. Economic Development Corporation Bylaws Revision.

Mr. Scott L. Millar, President, Economic Development Corporation said at the June 12, 2002, meeting of the Economic Development Corporation Board of Directors the Board recommended an amendment to the Catawba County Code, EDC Bylaws, Section 2.09 Vacancies, as suggested by County Attorney Robert Oren Eades.

## July 8, 2002, MB#48 Ordinance No. 2002-06

#### CHAPTER 191: ECONOMIC DEVELOPMENT CORPORATION BYLAWS.

BE IT ORDAINED by the Board of Commissioners of Catawba County:

§ 2.09 Vacancies.

Subject to the requirements of Section 2.14 below, any vacancy occurring in the Board of Directors shall be filled by the Governmental Unit that made the original appointment. A Director selected to fill a vacancy shall be deemed selected for the unexpired term of his predecessor in office. No Director may serve more than two <u>full</u> consecutive terms of office. This 8th day of July, 2002.

/s/ W. Steve Ikerd, Chairman Catawba County Board of Commissioners

Commissioner Hunsucker made a motion to amend the Catawba County Code of Ordinances by revising the Economic Development Corporation's bylaws. The motion carried unanimously.

## b. Utilities and Engineering:

1. Balls Creek Elementary School and Surrounding Area Wastewater Project Contract with the City of Newton. (Copy of agreement on file in the Office of Utilities and Engineering.)

Water and Sewer Engineer Jack Chandler said in July of 2001 Catawba County was awarded a State Clean Water Grant. The primary focus in applying for the grant was to serve Balls Creek Elementary School with municipal sewer service. In order to be eligible for the grant the County had to include a residential component (30 homes) and show that residences with failed or failing septic systems were going to be served. The area is located a few miles southeast of Newton off Highway 16, and Mt. Olive Church Road. Balls Creek Elementary had a septic system repair in early 1998. This was to take the place of part of the original system. The original system was a pump to alternating siphons designed for 650 students. Currently there are over 1,000 students. The repair is a pump-to-pressure manifold system, which does not work well because the original septic tank is too small and there is inadequate storage space to allow for adequate rest for the new bed. This often results in effluent on top of the ground which is due to poor soil structure, the soil is not conducive to good water drainage.

This project consists of a 10-inch gravity sewer line beginning at a manhole located in the City Of Newton's existing 15-inch sewer collector line at a point adjacent to an unnamed Smyre Creek tributary, approximately 40-feet southwest of North Carolina Highway 16, thence along said unnamed tributary in a generally easterly and northeasterly direction to a point at Bethany Church Road approximately 1,500 feet south of the intersection of Bethany Church Road and Mt Olive Church Road. From there the County will install a 6-inch force main line in a northerly direction along Bethany Church Road to its intersection with Mt. Olive Church Road, thence southeast along Mt Olive Church Road to Hagan Creek, where a pump station will be installed. Thence with an 8-inch gravity line along an unnamed branch of Hagan Creek in a generally southeasterly direction to Balls Creek Road, thence in a southwesterly direction along Balls Creek Road to its intersection with Little Mountain Road, thence in a generally southerly direction along Little Mountain Road to the line's terminus at the rear of Balls Creek Elementary School at an estimated cost including design, permitting fees, and installation of \$1,189,701. The project consists of approximately 23,679 feet of gravity and pressure sewer mains .

As a part of the agreement between the County and the City of Newton, the City agrees to reimburse the County for 75 percent, payable over a ten year period, in equal installments, beginning with the City's assumption of maintenance and control of the sewer line, for any costs of the project not funded by a state grant (which is expected to be 100 percent).

The Public Works Subcommittee recommended that the Board of Commissioners approve and execute the contract.

Commissioner Barnes made a motion to approve the agreement with the City of Newton for the Balls Creek Elementary School and Surrounding Area Wastewater Project. The motion carried unanimously.

## 10. Attorneys' Report:

a. Special Use Permit Requirements for Wood Waste Grinding Operations.

County Attorney Robert Oren Eades said the county accepts wood waste at the Blackburn Landfill into a program where it grinds and produces mulch for resale which avoids sending the waste into the landfill. Several months ago the Board determined that it would be productive to undertake some pilot projects to see if it would make sense to have similar grinding operations at other places throughout the county and he and staff have done that. He said after having gone through such a process it is now time, if it is the board's pleasure, to go forward with the remote grinding operation and to adopt an ordinance setting up the process and framework within which those grinding operations will be conducted. He proposed that the board approach grinding operations as special use projects. He said a special use project differs from what is in the zoning ordinance which is referred to as a permitted use as a matter of right in the sense that it is not allowed to be used in particular districts unless it can meet certain conditions that are set out in the ordinance. Then the board of adjustment, in reviewing the application for a special use permit, is authorized to consider additional conditions that the Board of Commissioners identify what it thinks should be imposed to protect adjoining landowners in the community for the specific charge to protect the general health, safety and welfare.

He asked the Board to share with him and the planning staff thoughts of how the process should go forward and what should be included.

He said it takes into account issues such as the amount of property that needs to be included in a parcel upon which such an operation would be located, how far located from residential units, what sorts of roads located on, what sorts of buffering are required, hours of operation, and storage of various byproducts on the site. He drafted an ordinance for grinding operation - permanent which is a location where someone wanted to set up an operation indefinitely and he has also drafted a grinding operation - temporary which if someone wanted to locate a grinder on a piece of property to serve a need in a given area of the county for some period of time but then move on to another area.

Restrictions and conditions are different for those two types of operations. He said a third situation that was not addressed in the drafted permanent or temporary ordinance was if you were a developer and were developing a large development of your own and wanted to contract with a grinder to grind all waste produced on that site. He asked if this is something that the Board would want to permit at all.

He requested that the Board authorize him to continue to work with staff to draw up draft language, send to Planning Board for review, have a public hearing and bring back to the Board of Commissioners for further action.

For the grinding operations to serve the purposes of the county they are going to be needed out in the county. These would be used as a special use in the R-1, R-2, and R-3 zoning districts which are the residential districts. He also thinks it should be allowed as a matter of right in the E-1 and E-2 zoning district which is the heavy industrial zoning districts.

He asked if there should be a special use in the commercial, office and institutional districts. He is not certain if there is a need in those districts. He will also work with planning staff on this issue.

He said if any of the Commissioners wanted to observe a grinding operation in action before voting on the final ordinance he can arrange a tour for them.

Chairman Ikerd said during the last seven and one half years the landfill has been one of his most involved issues. When he came on the board the county had 400 acres on Lake Lookout for a landfill and after the Utility and Engineering staff surveyed the area it found that only half of that area could be used. He said great effort has been made to increase the landfill at Blackburn. He said the county's grinding operations have been overwhelming and over \$1 million was spent for another landfill

location. His concern is tandem trucks running across the county. Satellite areas would cut down on travel time. He is also concerned about pollution from the trucks.

Commissioner Barnes said this is something the private sector needs to take on. She thinks the private sector can move machinery more easily.

Commissioner Huffman said this is a good start and recommended Mr. Eades continue to work with the planning staff so private enterprise can do their work across the county.

Commissioner Beatty asked if landfill hours could be extended.

County Manager J. Thomas Lundy said that Utilities and Engineering Director Barry Edwards was looking at the possibility of opening an hour earlier and closing an hour later at the landfill.

Commissioner Hunsucker asked about days of operation. He said a private contractor may want to operate on Saturday.

Attorney Eades said most of these operations will be in residential areas and they need to balance the rights of landowners being home on weekends and evenings. He said waste could be brought onto the site until 6:00 p.m.

Chairman Ikerd said grinding could be done Monday through Friday but bringing in wood waste or hauling mulch out would need more options. Grinding could be done in a five-day period.

Attorney Eades reviewed the following two draft ordinances:

	§ 515.		Wood	Waste	Grindina	Operations	(Permanent
--	--------	--	------	-------	----------	------------	------------

The following standards shall be used in deciding an application for this use:

- (A) The minimum lot size shall be 5 acres.
- (B) Grinding Operations shall have direct access to a collector or arterial street as shown on the thoroughfare plan. However, the Board of Adjustment may, where such action is supported by substantial evidence presented to the Board, approve the location of a Grinding Operation not located adjacent to a collector or arterial street when the Board determines that such location will not be detrimental to the public health, safety and general welfare.
- (C) All traffic areas, including entrances and exits, within the area of operation shall be graveled. Storage areas for mulch, dirt, wood waste or other similar materials need not be graveled.
- (D) No such use shall be established within 500 feet of any residential dwelling.
- (E) Grinding shall occur only between 8:00 a.m. and 5:00 p.m. Monday through Friday; however, wood waste may be delivered to the site until 6:00 p.m. Monday through Friday.
- (F) Any grinder, screener, or similar equipment must be set back at least 100 feet from the property lines. Any mulch, dirt, wood waste, or other similar material stored on the property must be located out of the front, rear and side setbacks.
- (G) This use shall comply with § 515.060 buffers and screening criteria for the county.

§ 515. \_\_\_\_\_ Wood Waste Grinding Operations (Temporary)

The following standards shall be used in deciding an application for this use:

- (A) The operation shall be located at the permitted site for a period not to exceed six months.
- (B) The minimum lot size shall be 1 acre.
- (C) Grinding Operations shall have direct access to a collector or arterial street as shown on the

thoroughfare plan. However, the Board of Adjustment may, where such action is supported by substantial evidence presented to the Board, approve the location of a Grinding Operation not located adjacent to a collector or arterial street when the Board determines that such location will not be detrimental to the public health, safety and general welfare.

- (D) All traffic areas, including entrances and exits, within the area of operation shall be graveled. Storage areas for mulch, dirt, wood waste or other similar materials need not be graveled. Upon completion of the permitted grinding, the site shall either be developed in accordance with a development plan approved by the Subdivision Review Board or shall be, at minimum, seeded with grass or ground cover.
- (E) No such use shall be established within 250 feet of any residential dwelling.
- (F) Grinding shall occur only between 8:00 a.m. and 5:00 p.m. Monday through Friday; however, wood waste may be delivered to the site until 6:00 p.m. Monday through Friday.
- (G) Any grinder, screener, or similar equipment must be located out of the front, rear and side setbacks. Any mulch, dirt, wood waste, or other similar material stored on the property must be located out of the front, rear and side setbacks.
- (H) This use shall comply with § 515.060 buffers and screening criteria for the county.

Reverend Joel Cherry, Sherrills Ford, asked about the loudness of the grinders. He said he would like to hear and see an operation as his wife and son work nights and sleep during the day.

Chairman Ikerd said the noise is less than a loud machine.

Landfill Project Manager Tommy London said it depends on the type of grinder and what is being ground. At certain times the operation can be heard up to two miles and other times only five to six hundred feet. He said it would be the same noise as a bulldozer.

Mr. Terry Lyons said he agreed. He is a homebuilder and owns Lyons Builders. He said most of the concerns are the environment. He was also concerned about filling up the landfill. He said the NC Department of Transportation is starting to enforce a dump truck regulation requiring that trucks be covered. They can only haul half of what they used to haul on a dump truck further increasing air pollution between sites they are clearing and the landfill. He said the cost of dumping at the Blackburn Landfill and the cost of transporting there has increased substantially. He said the additional cost to clear a site is transferred to the homeowner.

Mr. Dent Allison, President, Shook Builders Supply said his company is developing in five counties. They presently have 368 lots under development. He thinks the temporary rules should only apply towards securing permanent approval. Temporary rules as it relates to onsite grinding would be an additional burden on the part of the developers and recommended it not be included. He said right now it is not required except from an environmental standpoint from erosion control. He recommended the board implement the grinding as is was long overdue and recommended the county be ecology minded.

Mr. Gary Teague said there needs to be a stipulation that if someone were developing 25 or more acres he should be able to set up a grinding operation.

Mr. Roger Slaughter, owner of S & S Lawn Care Company in Hickory, said he was a member of the Foothills Landscape Management Association. He said the association is for the grinding sites. He has personally used the grinding site located off of Sulphur Springs Road and the site is being operated very economically, providing a good service for the landscape professionals in the Hickory area, and has been a benefit as an economic standpoint by not running trucks to the landfill. He is in favor of the operation.

Mr. Doug Huffman, Huffman Grading, said he had several concerns. He agrees the measures the board plans to take are the right measures. One of his problems is the expense as there is no grading contractor in Catawba County that owns a grinder. They cost \$650,000 for a minimum investment of which most people cannot afford and that is why they depend on the county to provide the service. He

asked that the board look at locating at least four site across the county to minimize the haul distance of the materials. He said another problem was with contractors from Alexander, Burke and Caldwell Counties who come in and take their work and then take the waste back to their counties and dumps illegally. He said he could not compete with that. He said he appreciated the effort of the board and thinks they need to keep costs in mind because personally he could not afford a \$650,000 grinder.

Mr. Roy Whitener said the noise level from a grinding machines it is not as loud as one jet ski on Lake Hickory. He said he lives approximately 500 feet from the grinding site on Sulphur Springs Road and he also has property adjoining that site. He has no objections to that site. He said the noise and dust do him no harm and it does him good by saving him a trip to Blackburn. He thinks there needs to be a dozen sites around the county for the builders. He said he was going to quit building because of his age and the requirements to build a house in Catawba County. He said there needs to be ways to help the builders in Catawba County to hold down the costs of the construction of homes.

Mr. Paul Carter said he had two things on the environmental issues. He asked on the temporary if 250 feet was enough for existing home sites. He also asked that the board consider rainwater runoff because when trucks are running in and out and the ground gets packed down, it can no longer absorb the water and the rainwater runs off creating a potential erosion problem. He said these two suggestions needs to be considered within the context of the existing county ordinances.

Mr. Mark Ikerd, Mark Ikerd Grading and Hauling, said he owned the pilot site on Sulphur Springs Road. He said Barry Edwards assisted him in obtaining inspections and permits and actually it was an application for a permit because at the time there was no permit available. He said the health department and erosion control have checked the site and said everything looked okay. He said it has been open for two years and he is recycling 100 percent. He said it doubles the cost to haul to the Blackburn Landfill and the cost goes to the builder who has to pass the cost onto the consumer. He said they have an immediate need and recommended that the process be moved quickly.

County Attorney Eades requested authorization from the board to go forward to pursue and present at the Planning Board and subsequently to the Board of Commissioners.

County Attorney Eades requested the public contact him or Zoning Administrator Donna Jones if they had questions, concerns or recommendations.

Commissioner Hunsucker said he went to the Mark Ikerd Grading and Hauling site and it was clean. He said he plans to go back when someone is there to take him on a tour of the entire site.

Commissioner Barnes said she would like to visit a grinding site.

County Attorney Eades said he would schedule a tour.

Commissioner Huffman said the noise issue also needs to be incorporated into the ordinance.

The Commissioners by consensus instructed County Attorney Eades to go forward with due haste to work with the planning staff to develop requirements for a Special Use Permit for private sector wood waste grinding operations. After the requirements are developed, a public hearing will be held before the Planning Board and subsequently before the Board of Commissioners.

### b. Landfill Site Alternatives Study.

County Attorney Eades said at the May 9, 2002, Spring Planning Retreat he talked about the alternative analysis the county is required to perform before expanding the existing Blackburn Landfill. The requirement is pursuant to NC General Statute 153A-136 (c) which says prior to expanding an existing landfill, alternative sites must be considered for socio and demographic data that the board is required to consider.

He said at the staff level they worked to select Camp Dresser & McKee, an engineering firm experienced in assisting Counties expand landfills, specifically in complying with the requirements of North Carolina General Statute153A-136(c) to perform the alternative analysis.

He said there are a host of regulatory provisions and other concerns that will operate automatically pursuant to law to rule out any number of sites in Catawba County. There will be no need to tell the engineering firm what those sites are as they are imposed across the board upon all landfill citing exercises. The engineering firm will use all of those, what they refer to as negative criteria, to rule out sites. Once that process has been concluded then they will use the following factors to create a list of positive sites that theoretically are possible. Then they will evaluate those sites and compare to the expansion onto the Wilfong and Mauser property and make a recommendation to the county. At that point, the board will choose to go forward with the expansion or in light of the information presented the county can think about other sites. He said the statute says to consider and it doesn't explain what consider means. He thinks it means to take a hard look at all the information that is presented and make a good faith effort to make a fair assessment of how all the sites compare to each other.

He said they have identified the following four factors that are appropriate for the engineers to use to analyze and evaluate alternative sites:

- 1. Alternative sites must provide a landfill with 25 years of capacity.
- 2. Alternative sites must include not less than 600 acres and must consist of a single parcel or contiguous parcels owned by not more than five property owners.
- 3. Cost to acquire the property and to operate a landfill at each of the alternative sites.
- 4. Alternative sites must be accessible as is the existing Blackburn landfill.

Commissioner Barnes asked about offsetting out acreage at the 600 acres, could that capacity not change with the number of acres needed due to the contour of the land.

County Attorney Eades said it could possibly based on any given parcel of property. You will have only a percentage of that property that is actually available for landfill space. He said that is what they are trying to address by saying they need to have 25 years of space. He said the 600 acres is a clear line of demarcation to make it easier to focus on particular sites in the county. He said if you are saying 25 years there are any number of ways to try to address but if you focus on a specific size it makes it a simpler exercise in trying to evaluate alternative sites.

Commissioner Barnes asked if it could be declared arbitrary.

County Attorney Eades said they discussed this in a meeting and he shared with them that it was his understanding that in one county that undertook this process they wrote their factors on an envelope and their factor was it had to be adjacent to the existing landfill and it passed. He said they didn't pick 600 acres because they knew already where that was going to get them, but asked how much land do you need to have 25 years and staff said 600 acres.

Chairman Ikerd said wetland areas have to be exempt.

County Attorney Eades said if the board approves the factors, he will communicate them to the engineering firm and they will begin the process of evaluating alternative sites. There will be a number of meetings with staff to go over the progress to make sure everyone is on the same track and to keep staff updated as they do their work. The engineering firm will meet with the commissioners to make their final report and they will also be present when the commissioners holds a public hearing which is required by the statutes.

County Attorney Eades said they thought it was important to conclude this process if possible before a new board comes on.

Mr. Eades said the contract being proposed has an estimated cost in the amount of \$80,000 because the work has been greatly reduced.

Commissioner Huffman made a motion to approve the aforementioned four factors and to authorize County Attorney Eades to pursue a contract and authorized County Manager J. Thomas Lundy to sign the contract on behalf of the county. The motion carried unanimously.

- 11. Manager's Report. None.
- 12. Other items of business. None.

13.	Adjournment
10.	Aujournincii

At 8:55 p.m., there being no further business to come before the Board, Chairman Ikerd made a motion to adjourn. The motion carried unanimously.

W. Steve Ikerd, Chairman
Catawba County Board of Commissioners

\_\_\_\_\_

Thelda B. Rhoney County Clerk